

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WELLS FARGO BANK, NATIONAL :
ASSOCIATION, as Trustee for the Benefit of the :
Certificateholders of J.P. Morgan Chase Commercial :
Mortgage Securities Trust 2019-MFP, Commercial :
Mortgage Pass-Through Certificates, Series 2019- :
MFP, by and through Situs Holdings, LLC, as Special : Case No. 1:25-cv-01943 (DEH)
Servicer under the Trust and Servicing Agreement, :
dated as of July 18, 2019, :
:
Plaintiff, :
:
v. :
:
JPMORGAN CHASE BANK, NATIONAL :
ASSOCIATION, MEYER CHETRIT, SHADOW :
CREEK OWNER, LLC, and 3100 DANIEL MCCALL :
DRIVE, LLC, :
:
Defendants. :
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JOINT STIPULATION AND [PROPOSED] SCHEDULING ORDER

WHEREAS, Plaintiff Wells Fargo Bank, N.A. (“Wells Fargo”) filed this action (“Action”) on March 10, 2025 (ECF No. 1);

WHEREAS, this Action was assigned to the Hon. Dale E. Ho on March 11, 2025;

WHEREAS, the Court has scheduled an initial pretrial conference for 10:30 AM on April 29, 2025 (ECF No. 15);

WHEREAS, on March 13, 2025, counsel for Wells Fargo filed an affidavit attesting that Defendant Meyer Chetrit was served with the Summons and Complaint on March 11, 2025 (ECF No. 18);

WHEREAS, on March 13, 2025, counsel for Wells Fargo filed an affidavit attesting that Defendant Shadow Creek Owner, LLC (“Shadow Creek”) was served with the Summons and Complaint on March 11, 2025 (ECF No. 19);

WHEREAS, on March 13, 2025, counsel for Wells Fargo filed an affidavit attesting that Defendant 3100 Daniel McCall Drive, LLC (together with Meyer Chetrit and Shadow Creek, the “Chetrit Defendants”) was served with the Summons and Complaint on March 12, 2025 (ECF No. 16);

WHEREAS, on March 25, 2025, counsel for Wells Fargo filed an affidavit attesting that Defendant Shadow Creek was served with the Summons and Complaint on March 25, 2025 (ECF No. 20);

WHEREAS, on March 27, 2025, counsel for Wells Fargo filed an affidavit attesting that Defendant Meyer Chetrit was served with the Summons and Complaint on March 25, 2025 (ECF No. 21);

WHEREAS, the Chetrit Defendants previously agreed to waive any objections to the manner or sufficiency of service of the Summons and Complaint, and Wells Fargo previously agreed to extend the deadline for the Chetrit Defendants to answer, move against, or otherwise respond to the Complaint to May 16, 2025;

WHEREAS, the Chetrit Defendants request an extension of time to answer, move against, or otherwise respond to the Complaint to June 10, 2025;

WHEREAS, the Chetrit Defendants have agreed that they will not seek an adjournment of the initial pretrial conference, absent an emergency or other unforeseen conflict that cannot be reasonably avoided;

WHEREAS, the Chetrit Defendants have agreed that they will not use the extension of time to answer, move against, or otherwise respond to the Complaint to support a stay or delay of discovery, but reserved the right to move for a stay of discovery for reasons other than the extension of time to answer, move against, or otherwise respond to the Complaint;

IT IS HEREBY STIPULATED AND AGREED, by and between Wells Fargo and the Chetrit Defendants, as follows:

1. The Chetrit Defendants deadline to answer, move against, or otherwise respond to the Complaint is extended to June 10, 2025.
2. The Chetrit Defendants will not seek an adjournment of the initial pretrial conference based on this extension.
3. The Chetrit Defendants will not seek to stay or delay discovery based on this extension but reserve the right to move for a stay of discovery for reasons other than this extension.
4. By entering into this Stipulation, the Chetrit Defendants do not waive, and expressly preserve, all potential defenses

Dated: New York, New York
April 25, 2025

s/ Blair A. Adams

Blair A. Adams
Evan Hess
Mary Trainor
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
295 Fifth Avenue
New York, NY 10016-7103
(212) 849-7000
blairadams@quinnemanuel.com
evanhess@quinnemanuel.com
marytrainor@quinnemanuel.com

Counsel for Plaintiff

/s/ Bruce S. Kaplan

Bruce S. Kaplan
Elizabeth K. Bierut
Jason B. Koffler
FRIEDMAN KAPLAN
SEILER ADELMAN & ROBBINS LLP
7 Times Square
New York, NY 10036-6516
(212) 833-1100
bkaplan@fklaw.com
ebierut@fklaw.com
jkoffler@fklaw.com

*Counsel for Defendants Meyer Chetrit,
Shadow Creek Owner, LLC, and
3100 Daniel McCall Drive, LLC*

BY THE COURT:


Dated: April 29, 2025
THE HONORABLE DALE E. HO
UNITED STATES DISTRICT JUDGE